

House Study Bill 124 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
VETERANS AFFAIRS BILL BY
CHAIRPERSON ALONS)

A BILL FOR

1 An Act relating to absent voting in general elections by
2 certain military and overseas voters through electronic
3 means and making penalties applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 53.45, Code 2013, is amended to read as
2 follows:

3 **53.45 Special paper absentee ballot ballots and special**
4 **electronic absentee ballots.**

5 1. *a.* As provided in this section and section 53.46,
6 subsection 6A, the commissioner shall provide special paper
7 absentee ballots or special electronic absentee ballots to be
8 used for state general elections. A special paper absentee
9 ballot or special electronic absentee ballot shall only be
10 provided to an eligible elector who completes an application
11 stating both of the following to the best of the eligible
12 elector's belief:

13 (1) The eligible elector will be residing or stationed or
14 working outside the continental United States.

15 (2) The eligible elector will be unable to vote and return
16 a regular absentee ballot by normal mail delivery within the
17 period provided for regular absentee ballots.

18 *b.* The application for a special paper absentee ballot or
19 special electronic absentee ballot shall not be filed earlier
20 than ninety days prior to the general election. The special
21 paper absentee ballot or special electronic absentee ballot
22 shall list the offices and measures, if known, scheduled to
23 appear on the general election ballot. The eligible elector
24 may use the special paper absentee ballot or special electronic
25 absentee ballot to write in the name of any eligible candidate
26 for each office and may vote on any measure.

27 2. With any special paper absentee ballot or special
28 electronic absentee ballot issued under this section, the
29 commissioner shall include a listing of any candidates who have
30 filed before the time of the application for offices that will
31 appear on the ballot at that general election and a list of any
32 measures that have been referred to the ballot before the time
33 of the application.

34 3. Write-in votes on special paper absentee ballots or
35 special electronic absentee ballots shall be counted in the

1 same manner provided by law for the counting of other write-in
2 votes. The commissioner shall process and canvass the special
3 paper absentee ballots or special electronic absentee ballots
4 provided under this section in the same manner as other
5 absentee ballots.

6 4. Notwithstanding the provisions of section 53.49, an
7 eligible elector who requests a special paper absentee ballot
8 or special electronic absentee ballot under this section may
9 also make application for an absentee ballot under section 53.2
10 or an armed forces absentee ballot under section 53.40. If the
11 regular absentee or armed forces absentee ballot is properly
12 voted and returned, the special paper absentee ballot or
13 special electronic absentee ballot is void and the commissioner
14 shall reject it in whole when special paper absentee ballots
15 and special electronic absentee ballots are canvassed.

16 Sec. 2. Section 53.46, Code 2013, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 6A. To develop and operate, not
19 inconsistent with federal law, a secure internet site to allow
20 a voter in the armed forces of the United States to access,
21 vote, and return a special electronic absentee ballot through
22 electronic means. The state commissioner shall prescribe and
23 direct the preparation of special electronic absentee ballots
24 to be used in connection with absent voting by voters in the
25 armed forces of the United States to be cast through electronic
26 means for any general election, if, in the discretion of
27 the state commissioner, the state commissioner determines
28 that providing such special electronic absentee ballots will
29 facilitate voting. The content of any such special electronic
30 absentee ballot shall be the same as that used for absent
31 voters generally in the particular precinct in which the
32 special electronic absentee ballot is to be cast;

33 EXPLANATION

34 This bill relates to absent voting by military and overseas
35 voters through electronic means.

1 The bill authorizes the state commissioner of elections
2 to develop and operate, not inconsistent with federal law, a
3 secure internet site to allow a voter in the armed forces of
4 the United States or a United States citizen living outside
5 the country to access, vote, and return a special electronic
6 absentee ballot through electronic means for any general
7 election. The bill further authorizes the state commissioner
8 to prescribe and direct the preparation of special electronic
9 absentee ballots if the state commissioner determines that
10 providing special electronic absentee ballots will facilitate
11 voting by such voters. A special electronic absentee ballot
12 shall be the same as a ballot used for absent voters generally
13 in the particular precinct in which the special electronic
14 absentee ballot is to be cast. The bill provides for a special
15 electronic absentee ballot to be treated substantially the same
16 as the special paper absentee ballot provided to military and
17 overseas voters under current law.

18 Certain penalties related to elections misconduct are made
19 applicable to the provisions of the bill.